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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/804,728	03/19/2004	Neal H. Delventhal	TRW(AP)6702	8265

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EXAMINER	
WEBB, TIFFANY LOUISE	

ART UNIT	PAPER NUMBER
3616	

DATE MAILED: 07/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/804,728	DELVENTHAL ET AL.	
	Examiner	Art Unit	
	Tiffany L. Webb	3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *19 March 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *3/19/2004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rouhana et al. (US 6,773,075) in view of Bohmler (US 6,564,895). Regarding claim 1, Rouhana et al. discloses having a vehicle occupant protection device (see Figure 1C) including: first (14) and second (16) seat belts; first (52) and second (54) load limiters associated with the first and second seat belts. Regarding claim 3, Rouhana et al. discloses the first seat and second seat belts are shoulder belts and the load limiters form part of the belt retractors (see Figure 1C). Regarding claim 8, Rouhana et al. discloses having a payout sensing retractors and the retractors being responsive to the payout properties (col. 5, lines 39-45). However, Rouhana et al. fails to disclose at least one sensor for sensing a characteristic of the occupant or the vehicle or having a controller for controlling the first and second limiters. Bohmler discloses having at least

one sensor for sensing a characteristic of an occupant or a vehicle and having a controller (45) that is responsive to the sensors for controlling the first and second limiters. Regarding claim 2, Bohmler discloses having load limiters that are able to be controlled for the level of load limiting based upon the controller being responsive to at least one sensor (col. 5, lines 60-65). Regarding claim 4, Bohmler discloses having a vehicle crash sensor for sensing a vehicle condition indicating the occurrence of a crash (col. 5, lines 52-56). Regarding claim 5, Bohmler discloses the crash sensor adapted to sense a severity and a direction of the vehicle impact (col. 5, lines 52-56). Regarding claim 6, Bohmler discloses having a weight sensor for sensing a weight of the occupant (col. 5, lines 52-56). Regarding claim 7, Bohmler discloses having a weight sensor for sensing distribution of the weight on the seat (col. 5, lines 52-56). Regarding claim 9, Bohmler discloses having an occupant position sensor for sensing a position of the occupant relative to the seat (col. 5, lines 52-56). Regarding claim 10, Bohmler discloses having a sensor for indicating classification of the occupant of the seat (col. 5, lines 52-56). It would have been obvious to one having ordinary skill in the art at the time of invention to have load limiter sensors of Bohmler on the safety belt system of Rouhana et al. in order improve the response of the safety system. Regarding claims 11-19, Bohmler and Rouhana et al. meet the limitations set forth by the apparatus claims, therefore Bohmler and Rouhana et al. further meet the limitations of the claims to a method of for controlling the first and second load limiters. It is inherent that the seat belt apparatus can be controlled by the method claimed.

4. Claims 1-4, 6-13, 15-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rouhana et al. (US 6,773,075) in view of Stanley et al. (US 6,829,952). Rouhana et al. is discussed above, and as stated above, fails to disclose having at least one sensor for sensing a characteristic of the occupant or the vehicle or having a controller for controlling the first and second limiters. Stanley et al. discloses having at least one sensor for sensing a characteristic of an occupant or a vehicle and having a controller (52) that is responsive to the sensors for controlling the first and second limiters. Regarding claim 2, Stanley et al. discloses having load limiters that are able to be controlled for the level of load limiting based upon the controller being responsive to at least one sensor (col. 3, lines 1-15). Regarding claim 4, Stanley et al. discloses having a crash sensor (50) for sensing a vehicle collision. Regarding claim 6, Stanley et al. discloses having a weight sensor for sensing a weight of the occupant (60). Regarding claim 7, Stanley et al. discloses having a weight sensor for sensing distribution of the weight on the seat (col. 3, lines 19-28). Regarding claim 9, Stanley et al. discloses having an occupant position sensor for sensing a position of the occupant relative to the seat (106). Regarding claim 10, Stanley et al. discloses having a sensor for indicating classification of the occupant of the seat (col. 5, lines 8-30). It would have been obvious to one having ordinary skill in the art at the time of invention to have load limiter sensors of Stanley et al. on the safety belt system of Rouhana et al. in order improve the response of the safety system. Regarding claims 11-13 and 15-19, Stanley et al. and Rouhana et al. meet the limitations set forth by the apparatus claims, therefore Stanley et al. and Rouhana et al. further meet the limitations of the claims to a

method of for controlling the first and second load limiters. It is inherent that the seat belt apparatus can be controlled by the method claimed.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following are safety systems: Koning et al. (US 6,863,235), Dybro et al. (US 5,820,056), Blackesley et al. (US 6,647,811).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tiffany L. Webb whose telephone number is 571-272-2797. The examiner can normally be reached on 8-4:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Tiffany L Webb

Examiner
Art Unit 3616

tlw

7/7/06

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TECHNOLOGY CENTER 3600